

## **EXHIBIT “6”**

### **Affidavit of David W. Parham**



4. Defendants Bernstein, Reynolds and Crosbie failed to respond to that letter.

5. On October 10, 2006, I, as counsel for Progressive sent another letter to all of the Defendants named herein advising them that Progressive still planned to pursue the claims if this matter could not be resolved. A copy of that letter is attached as Exhibit "B" hereto.

6. Defendant Crosbie, did send a very short letter in response shortly thereafter. A copy of that letter is attached as Exhibit "C" hereto.

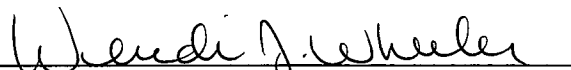
7. Reynolds and Bernstein, by contrast, have never replied to any correspondence from Plaintiff's counsel.

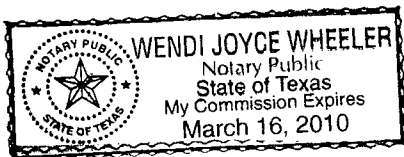
FURTHER AFFIANT SAYETH NOT

Executed this 31<sup>st</sup> day of January, 2008 under the laws of perjury of the United States of America.

  
DAVID W. PARHAM

SWORN AND SUBSCRIBED BEFORE ME  
ON THIS 31<sup>st</sup> DAY OF January 2008.

  
Notary Public in and for the State of Texas  
My commission expires on: 3-16-2010



## **EXHIBIT “A”**

**Baker & McKenzie LLP**  
 2300 Trammell Crow Center  
 2001 Ross Avenue  
 Dallas, Texas 75201, USA

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 www.bakernet.com

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March 14, 2006

David M. Bernstein  
 25 Raspberry Crescent  
 Beaconsfield, Quebec, Canada  
 H9W 6C9

David W. Parham  
 Tel: +1 214 978 3034  
 david.w.parham@bakernet.com

**FED Ex**  
**Via Certified Mail Return Receipt**

RE: *In re Global Empire Investments and Holdings, LLC*, Case No. 05-95389

Dear Mr. Bernstein:

This law firm has been retained to represent Progressive Mining LLC ("Progressive") and Governor Arch A. Moore, Jr. in connection with the transaction which occurred between Progressive and Global Empire Investments and Holdings LLC ("Global Empire"). If you are represented by legal counsel, please forward this correspondence to him or her.

Global Empire has filed a chapter 11 petition in the United States Bankruptcy Court for the Southern District of Texas, Houston Division. Progressive has filed a claim with the U.S. Bankruptcy Court resulting from the failure of Global Empire to refund a \$750,000 Commitment Fee and for \$500,000 in additional damages arising from Global Empire's failure to provide financing. We are sending this letter to you in your individual capacity, and not in any capacity with Global Empire.

As you are also aware, Progressive made a \$750,000 deposit (which forms in part the basis of its claim) based upon your personal representation that the sum would be refunded to it, without deductions, should the financing arrangement contemplated by the agreement not occur. In addition, there were numerous statements made regarding Global Empire, including without limitation representations regarding subsidiaries or affiliates which have turned out to be wholly false. Without going into detail, our investigation has revealed that Global Empire, contrary to the company that was portrayed, had only one small subsidiary with assets (for which it paid only \$175,000) and had absolutely no wherewithal to, or hope of, financing the \$200,000,000 mine acquisition that was contemplated. In short, it is clear Progressive was duped into paying the commitment fee and that there could not conceivably have been intent on Global Empire's part to perform. Accordingly, we intend to hold all who conspired with, participated with, or aided and abetted, Global Empire in this scam responsible. The representations to Progressive were made both orally and in writing, and with respect to the refund, in the written contract which was transmitted by facsimile and/or through the U.S. mail to Progressive.

We have been retained to assist Progressive in the recovery of its damages. We will accomplish that. You are encouraged to return Progressive's \$750,000.00 deposit and the additional \$500,000 that Progressive expended on this project in the belief that Global Empire would perform its end of the bargain, within five (5) business days of the receipt of this correspondence. If we are not reimbursed, we will initiate appropriate legal proceedings against those involved in the fraud perpetrated upon Progressive.

Sincerely,



David W. Parham

DWP/slw

cc: Gov. Arch A. Moore, Jr.

DALDMS/567261.1

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 Washington, DC

March 14, 2006

John C. Crosbie  
 Patterson Palmer Law  
 One Brunswick Square, Suite 1500  
 PO Box 1324  
 Saint John, New Brunswick  
 E2L 4H8

David W. Parham  
 Tel: +1 214 978 3034  
 david.w.parham@bakernet.com

*FED EX*  
 Via Certified Mail Return Receipt

RE: *In re Global Empire Investments and Holdings, LLC*, Case No. 05-95389

Dear Mr. Crosbie:

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Sincerely,



David W. Parham

DWP/slw

cc: Gov. Arch A. Moore, Jr.

DALDMS/567280.1

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March 14, 2006

John Reynolds  
House of Commons  
04 Justice Building  
Ottawa, Ontario, Canada  
K1A 0A6

David W. Parham  
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david.w.parham@bakernet.com

**Via Certified Mail Return Receipt**

RE: *In re Global Empire Investments and Holdings, LLC*, Case No. 05-95389

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Sincerely,



David W. Parham

DWP/slw

cc: Gov. Arch A. Moore, Jr.

DALDMS/567278.1

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John Reynolds  
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<b>Reference Information</b> Progressive Mining Demand Letter Dave Parham	

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## **EXHIBIT “B”**

**Baker & McKenzie LLP**  
2300 Trammell Crow Center  
2001 Ross Avenue  
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October 10, 2006

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david.w.parham@bakernet.com

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Mr. David M. Bernstein  
25 Raspberry Crescent  
Beaconsfield, Quebec  
Canada H9W 6C9

RE: *In re Global Empire Investments & Holdings, LLC*

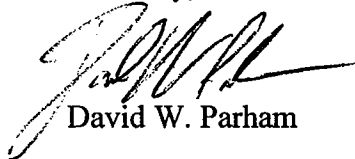
Dear Mr. Bernstein

This law firm represents Progressive Minerals, LLC in connection with its claims against Global Empire Investments & Holdings, LLC, and various of Global Empire's officers, directors, agents or affiliates. We have previously corresponded with you regarding this matter, but have not received any response.

Attached, please find a copy of a draft Complaint that we intend to file in the United States District Court for the Northern District of West Virginia, in the very near future if this matter cannot be resolved. We have also attached to this letter, information that we have obtained relating to Dr. Muhammad Haroon Rashid.

This letter is intended as a settlement communication. Please contact the undersigned within 14 days of the date of this letter, if you wish to resolve this matter.

Sincerely,



David W. Parham

DWP/ss  
Enclosures  
cc: Mark Carter (with enclosures)

October 10, 2006

David W. Parham  
Tel: +1 214 978 3034  
david.w.parham@bakernet.com

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RE: *In re Global Empire Investments & Holdings, LLC*

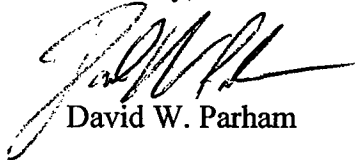
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Sincerely,



David W. Parham

DWP/ss  
Enclosures  
cc: Mark Carter (with enclosures)

BAKER & MCKENZIE

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October 10, 2006

Mr. John C. Crosbie  
Patterson Palmer Law  
Scotia Centre  
235 Walter Street  
Post Office Box 610  
Saint John's, Newfoundland and Labrador  
Canada E3B 5E3

RE: *In re Global Empire Investments and Holdings, LLC*

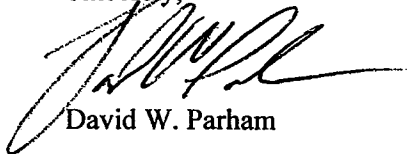
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Attached, please find a draft Complaint which we intend to file in the United States Federal District Court for the Northern District of West Virginia in the very near future if this matter cannot be resolved. We have also attached information which we recently obtained relating to Dr. Muhammad Haroon Rashid, Global Empire's President and CEO.

This letter is intended as a settlement communication. Please contact the undersigned within 14 days of the date of this letter, if you wish to discuss a resolution to this matter. If we do not hear from you, we will proceed to file the Complaint.

Sincerely,



David W. Parham

DWP/ss  
Enclosures

cc: Mark A. Carter (with enclosures)

DALDMS/588849.1

**Baker & McKenzie LLP**  
2300 Trammell Crow Center  
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October 10, 2006

Mr. John Douglas Reynolds  
1500 Royal Centre  
Post Office Box 11117  
1055 West Georgian Street  
Vancouver, British Columbia V6E 4N7

RE: *In re Global Empire Investments and Holdings, LLC*, Case No. 05-95389

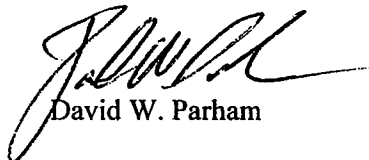
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Sincerely,



David W. Parham

DWP/slw  
Enclosures

cc: Mark A. Carter (with enclosures)

## **EXHIBIT “C”**

Scotia Centre, 235 Water Street  
P.O. Box 610, St. John's  
Newfoundland and Labrador  
A1C 5L3

Tel: 709-726-6124  
Fax: 709-722-0483  
Toll Free 1 888 699-7746  
www.pattersonpalmer.ca



27 October 2006

The Honourable John C. Crosbie, P.C., O.C., Q.C.  
Direct Line: 709-570-5501  
Direct Fax: 709-570-5757  
E-mail: jcrosbie@pattersonpalmer.ca

David W. Parham,  
Baker and McKenzie, LLP,  
2300 Trammell Crow Center,  
2001 Ross Avenue,  
Dallas, Texas 75201

Dear Mr. Parham:

**RE: Global Empire Investments and Holdings, LLC**

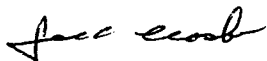
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I received your letter of 10 October 2006 stating you represent a company I have never heard of before described as Progressive Minerals, LLC which purports to have claims against former officers and directors of Global Empire Investments and Holdings, LLC. This is the first correspondence I have received from you on this matter and the first time I have ever heard of the complaint of Progressive Minerals.

With respect to the draft complaint which you say you intend to file, I write to advise you that I have never been a director of the Global Empire Investments and Holdings, LLC Board of Directors nor have I any connection with any of the events or facts you allege in your document. If you do take any action that involves myself, I will certainly be defending it as the allegations it contains are completely false and without any substance in fact or otherwise.

Yours truly,

PATTERSON PALMER



The Honourable John C. Crosbie, P.C., O.C., Q.C.